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Before the  
FEDERAL COMMUNICATIONS COMMISSION

FILE -

("RCC") paging services, delivering high-quality services to hundreds of thousands of customers nationwide.

As the record in this proceeding amply demonstrates, much of the success of PCP services has been attributable to the consistent set of Rules that apply to PCP spectrum in the 150, 450-470 and 929 MHz bands, as well as the frequencies used for paging control channels at 72-76 MHz. PCP providers have made highly efficient use of shared frequencies; the Commission has made considerable efforts to reexamine and refine its rules governing PCP to allow for dramatic improvements in technology and to foster the continued growth of these valuable services. Under proposed Part 88, however, the status of PCP services becomes vague. In order to preserve a regulatory environment in which these services can continue to flourish, PageNet urges the Commission to: (1) exempt PCP channels from narrowbanding requirements; (2) exempt PCP control channels at 72-76 MHz from narrowbanding requirements; (3) adopt a flexible channelization scheme incorporating contiguous blocks of spectrum; and (4) establish separate rule categories for personal messaging services and specialized mobile radio services.

## II. DISCUSSION

### A. WHOLESALE NARROWBANDING IS NOT IN THE PUBLIC INTEREST

#### 1. PageNet Supports the Commission's Proposal to Exempt One-Way Paging Channels From Its Narrowbanding Requirements

The proposed Part 88 exempts paging-only channels in the 150-174 MHz and 450-470 MHz bands from the spectrum efficiency requirements that would be imposed on other services.<sup>1</sup> PageNet fully supports the Commission's proposal to grandfather these one-way paging only frequencies and to allow PCP systems to continue to operate at their currently authorized bandwidths. As both PageNet and the National Association of Business and Educational Radio, Inc. ("NABER") have amply demonstrated in their initial Comments, channel abundance does not necessarily equate with spectrum efficiency.<sup>2</sup> Current 25 kHz paging channels must be preserved in order to achieve the spectral efficiencies to be gained from the advent of new technologies. In fact, many proposed increasingly spectrally efficient technologies will require wider channel bandwidths, such as 50-100 MHz, rather than narrower bandwidths. Moreover, these frequencies are already heavily used by licensees, both large and small; to force licensees to convert to narrowband technology would

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<sup>1</sup> See § 88.1061, 88.1063(b).

<sup>2</sup> See NABER Comments at 31-32; PageNet Comments at 4-5.

have a severe impact on their investments and on the industry as a whole.<sup>3</sup>

With the transition to data compression, and transmission technologies such as CDMA and TDMA, there is no need to split channels in order to achieve spectral efficiency. Narrower bandwidths would simply reduce channel capacity and compromise system performance. PageNet agrees with NABER, therefore, that the Commission must consider more than the number of channels obtained in a channelization plan utilizing either a 6.25 kHz or 5 kHz channel split in determining whether its spectral efficiency goals have been met.

**2. The Commission Must Retain Existing Bandwidths for 72-76 MHz Control Channels**

While PageNet does not object to the Commission's proposal to reduce bandwidth for low power mobile operations at 72-76 MHz to 5 kHz, PageNet cautions the Commission to retain existing bandwidths for control channels in the 72-76 MHz band. As NABER aptly points out,<sup>4</sup> a reduction in bandwidth for control channels at 72-76 MHz such as that proposed for low power mobile operations would adversely impact PCP services. A reduction in the bandwidth of the control channels used for paging-only frequencies will significantly decrease the efficiency of the paging-only

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<sup>3</sup> See Comments of Network USA at 8.

<sup>4</sup> NABER Comments at 32.



proposal for licensing bandwidth based on need, where an applicant requesting bandwidth would be required to demonstrate both its need for the bandwidth and that the request meets certain efficiency standards as established by the Commission. To do otherwise would require operators to acquire necessary bandwidth through, for example, numerous individual acquisitions involving voluminous FCC applications, exorbitant transaction costs, lengthy delays and remote odds of acquiring sufficient channels. Conversely, a flexible scheme would allow for the accommodation of a variety of technologies, as dictated by user needs, including CDMA, TDMA, FDMA, single sideband/ACSB, digital technologies and linear modulation, as well as make it feasible for carriers to aggregate blocks of spectrum in order to be able to provide innovative messaging services.

**C. THE COMMISSION MUST ESTABLISH SEPARATE RULE CATEGORIES FOR PERSONAL MESSAGING SERVICES AND SPECIALIZED MOBILE RADIO SERVICES**

As a number of commenters in this proceeding point out, the Commission's Notice fails to recognize the unique attributes of PCP service by proposing to absorb commercial paging in the Specialized Mobile Radio category. PageNet submits, and the record supports, however, that establishment

unique needs that require a consistent, but minimal body of rules and regulations; that could be accomplished most easily by establishing a separate service category for PCPs under proposed Part 88."<sup>7</sup> As NABER states, "the most beneficial system is to consolidate 'like' users either by operations or by the underlying business use of the applicant/licensee."<sup>8</sup> PageNet does not believe that the Commission's service pools under Part 88 consolidate "like" users. Commercial personal messaging and two-way mobile (SMR) services are very different, and must be kept separate and distinct for purposes of frequency allocation, construction and operation, as well as other rules. In fact, the Commission has recognized the importance and unique attributes of PCP services in its recent proposals to amend Part 90,<sup>9</sup> but fails to carry this distinction through to proposed Part 88, presumably including PCP services in the SMR category because of their commercial nature. Personal messaging services are distinct and must be treated as such if their successful track record is to continue. For example, as PageNet

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<sup>7</sup> Celpage Comments at 8; see also Network USA Comments at 13.

<sup>8</sup> NABER Comments at 25.

<sup>9</sup> See Report and Order in PR Docket No. 93-38, In the Matter of Amendment of the Commission's Rules to Permit Private Carrier Paging Licensees to Provide Service to Individuals (released July 16, 1993); Notice of Proposed Rulemaking in PR Docket 93-35, In the Matter of Amendment of the Commission's Rules to Provide Channel Exclusivity to Qualified Private Paging Systems at 929-930 MHz, 8 FCC Rcd 2227 (released March 31, 1993).

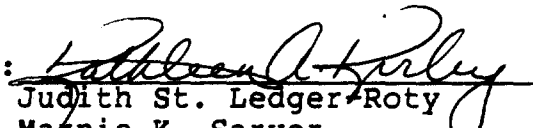
indicated in its Comments in this proceeding, personal messaging services differ significantly from SMRs in terms of system configuration, reasonable loading standards, construction and technical requirements. Attempting to lump these substantially different services under the same set of rules would hinder operations and result in unnecessary service delays to the end-user. PageNet recommends, therefore, that the Commission create a fourth service category for Portable Personal Messaging Services which would be comprised of all personal messaging services, private, commercial and advanced messaging services. SMRs would



incorporating contiguous blocks of spectrum and (4) establish  
a separate rules category for personal messaging services.

Respectfully submitted,

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